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7      **UNITED STATES BANKRUPTCY COURT**  
8      **EASTERN DISTRICT OF WASHINGTON**

In re:

Case No. 18-03197 FPC 11

GIGA WATT, Inc., a Washington  
corporation,

The Honorable Frederick P. Corbit  
Chapter 11

Debtor.

**AMENDMENT AND SUPPLEMENT  
TO CHAPTER 11 TRUSTEE'S  
MOTION FOR ORDER APPROVING:  
(I) SALE OF CONDOMINIUM AND (II)  
GRANTING AUTHORITY TO PAY  
COMMISSION AND CLOSING COSTS**

**Telephonic Hearing**

Date:      September 22, 2020  
Time:      10:30 a.m. PT  
Telephone: (509) 353-3183

Mark D. Waldron, in his capacity as the Chapter 11 Trustee (the "Trustee")  
in the above-captioned case, hereby submits this amendment and supplement to  
the *Chapter 11 Trustee's Motion for Order Approving: (i) Sale of Condominium  
and (ii) Granting Authority to Pay Commission and Closing Costs* [Doc 678],  
filed on August 20, 2020 (the "Sale Motion"). Attached hereto as Exhibit 1 is the  
*Modification of Closing Date Addendum*. Attached hereto as Exhibit 2 is the  
Amendment and Supp. to Ch. 11      1  
Trustee's Mot. for Order Approving:  
(i) Sale of Condominium, etc.

1      *Loan/Lender Change Addendum to Purchase and Sale Agreement ("Addenda").*  
2      The Agenda change two material terms of the Agreement that is the subject of the  
3      Sale Motion: (1) the Purchase Price has been reduced from \$315,000 to \$277,500;  
4      and (2) the closing date has been extended from September 30, 2020 to October  
5      30, 2020.<sup>1</sup>

6              Before the price reduction, excluding fees and taxes, the sale would have  
7      triggered an administrative claim in favor of David Carlson of \$25,000, creating  
8      roughly a net price of \$290,000. (The administrative claim would have been paid  
9      *pro rata* with other administrative and therefore not necessarily in full.) The new  
10     price of \$277,500 does not trigger the administrative claim. Therefore, the net  
11     price reduction, excluding fees and taxes, is approximately \$13,500.

12              The price reduction results from (i) litigation between the Homeowners'  
13      Association for the Condominium and the developer and (ii) certain construction  
14      problems. The Buyers' original proposed lender refused to finance the Sale  
15      because of these factors. The Agreement remains subject to the Buyers' ability to  
16      obtain financing. The Buyers have applied for financing.

17      Dated: September 10, 2020              POTOMAC LAW GROUP PLLC  
18              By:              /s/ Pamela M. Egan  
19    Pamela M. Egan (WSBA No. 54736)

20    *Attorneys for Mark D. Waldron, Chapter 11  
21    Trustee*  
22    4822-3569-7098, v. 2

23      <sup>1</sup> Unless otherwise defined herein, capitalized terms have the meanings ascribed to  
24      them in the Sale Motion.

25      Amendment and Supp. to Ch. 11              2  
26      Trustee's Mot. for Order Approving:  
27      (i) Sale of Condominium, etc.